

REMARKS

The present patent application has been reviewed in light of the office action, dated May 20, 2005, in which claims 1-28 are rejected under 35 U.S.C. § 102(e) as being anticipated by Barker et al., U.S. Patent No. 6,646,765 (hereinafter "Barker"). Reconsideration of the above-referenced patent application in view of the foregoing amendment and following remarks is respectfully requested.

Claims 1-36 are pending. Claims 1-28 have been amended. Claims 29-36 have been added.

Rejections under 35 U.S.C. § 102(e)

Claims 1-28 are rejected under 35 U.S.C. § 102(e) as being anticipated by Barker. However, Barker does not disclose "the capability to scan a next document substantially concurrently with a displaying of the first document" as claimed in amended claim 1. Independent claims 9, and 15 include similar elements. Barker also does not disclose "wherein the transmission of the second document to the scanner occurs substantially concurrently with the displaying of the first document" as claimed in amended claim 23. Therefore, claims 1, 9, 15, and 23, and the rejected claims that depend from them, are believed to patentably distinguish from the cited patent. It is, therefore, respectfully requested that the Examiner withdraw the rejection as to these claims.

It is noted that claimed subject matter may be patentably distinguished from the cited patents for additional reasons; however, the foregoing is believed to be sufficient. Likewise, it is noted that the Assignee's failure to comment directly upon any of the positions asserted by the Examiner in the office action does not indicate agreement or acquiescence with those asserted positions.

CONCLUSION

In view of the foregoing, it is respectfully asserted that all of the claims pending in the present patent application are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439-6500. Reconsideration of the present patent application and early allowance of all the claims is respectfully requested. Please charge any underpayments or credit any overpayments to deposit account no. 50-3130.

Respectfully submitted,

Dated: _____

10/20/05

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope address Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

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